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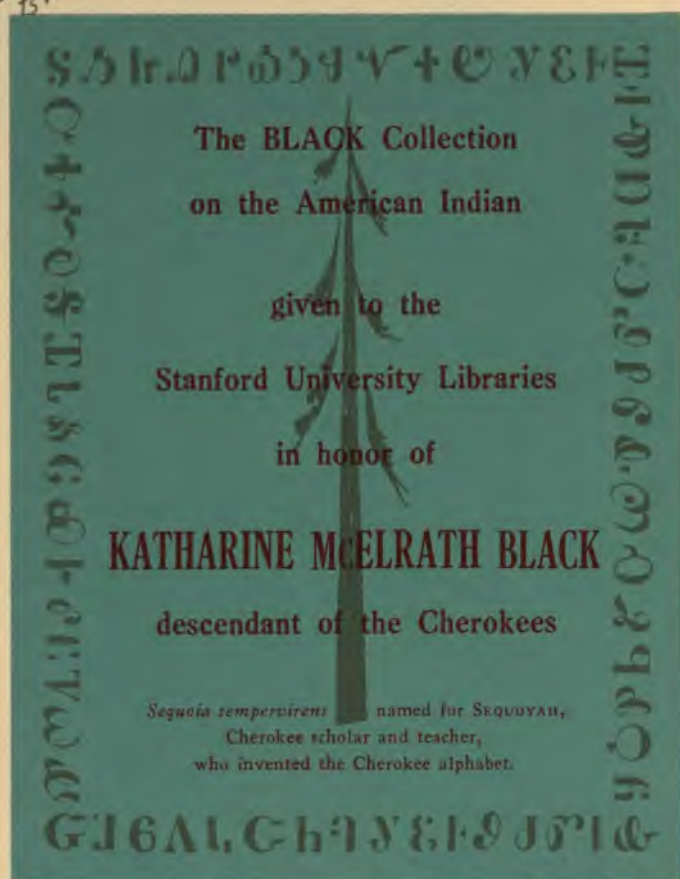
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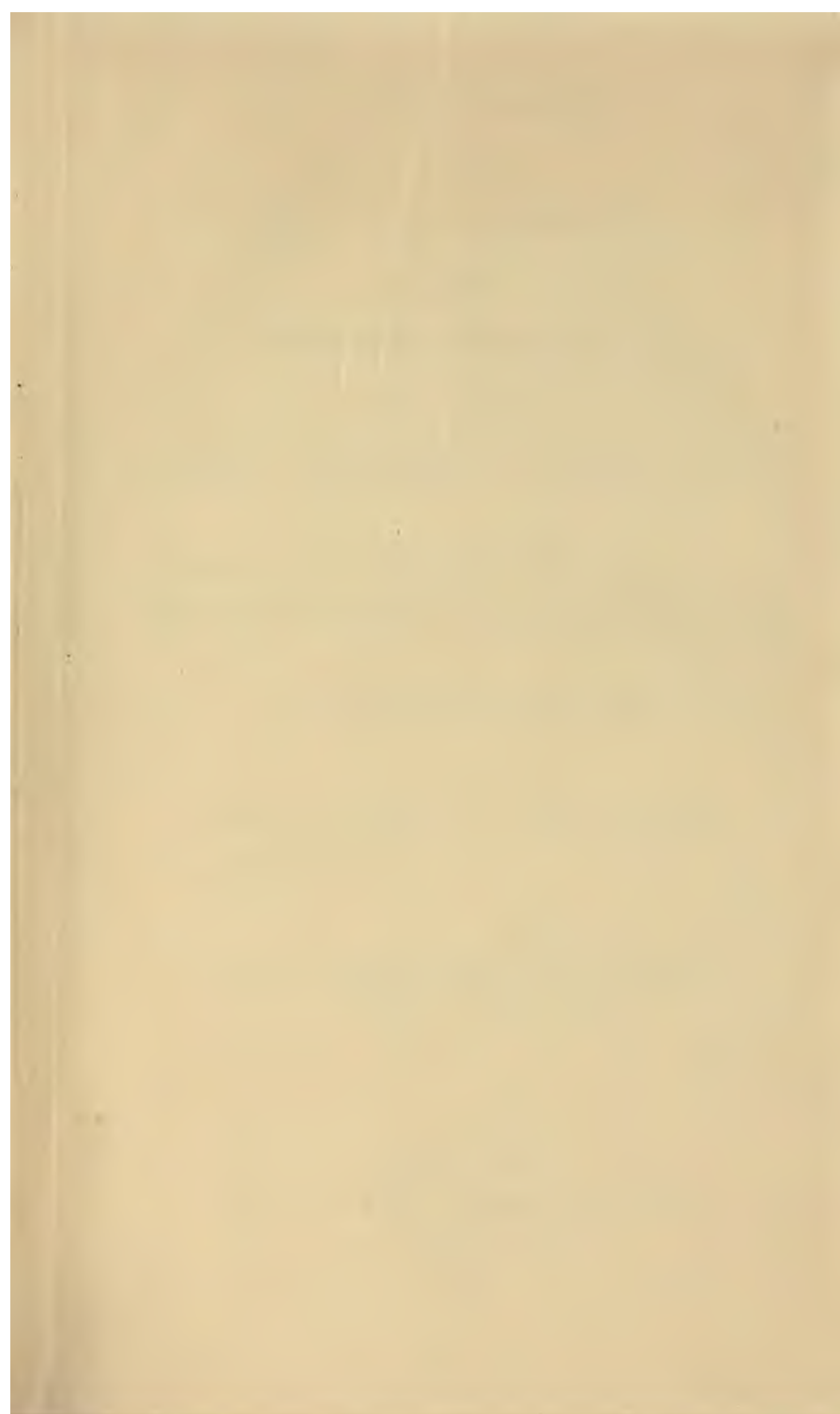
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A P P E A L
TO THE
CHRISTIAN COMMUNITY
ON THE
CONDITION AND PROSPECTS
OF THE
NEW-YORK INDIANS,
IN ANSWER TO A BOOK, ENTITLED
THE CASE OF THE NEW-YORK INDIANS,
AND OTHER PUBLICATIONS
OF THE
SOCIETY OF FRIENDS.

BY NATHANIEL T. STRONG,
A CHIEF OF THE SENECA TRIBE.

BUFFALO:
PRESS OF THOMAS & CO.
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1841.

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TO THE CHRISTIAN PUBLIC.

BEING a Chief of the Seneca Tribe of Indians, and lately arrived in this city, my attention has been called to a volume composed and widely circulated by the Society of Friends, under the title of "The Case of the Seneca Indians, in the State of New-York," the avowed design of which is to defeat the treaty lately concluded between the United States and the New-York Indians, and after mature consideration by the President and Senate of the United States, constitutionally ratified. The charges contained in this book, the proofs in support of them, and also the proofs in opposition to them, having all been deliberately investigated and passed on by the appropriate tribunals of your country, our people, after years of suspense and anxiety, considered the question of emigration as settled, and they fondly hoped that their rights under the treaty, being now secure and inviolable, they might commence the preparations necessary for their removal, and with the kind wishes and encouragement of their white brethren, be permitted to enter on the new path which a kind Providence had opened for their escape from bondage, degradation, and misery, with the cheering hope of enjoying, in the asylum provided for them by your government, the blessings of freedom and independence. But alas! as at the outset, so in the progress of our journey, we are met by enemies, powerful in numbers and discipline, but more dangerous in artifice and cunning; disguising their attacks under the false banner of friendship and good will, and seeking to withdraw from us the support even of those who are in reality our friends. Thus we see simultaneous movements in different parts of the country, all organized under the same banner, and all urged on by the

same influence. These are but the sequels of continued attempts for two years past to control, through the agency of public opinion and prejudice, the constitutional action on the treaty of the President and Senate ; and (although now binding both on you and us,) through popular agitation and excitement to prevent its execution. I will not stop to discuss the propriety of these proceedings, nor their consistency with those principles of peace and order professed by the Society of Friends ; but in regard to this their last publication, I must be permitted to say that its gross abuse, garbled statements, and repeated misrepresentations, are in my poor judgment as incompatible with the law of Christian charity, as with the rules of candour and fair discussion ; nor can I in adequate terms express my surprise, that on an appeal like this, to an intelligent community upon a question involving the dearest interests of an unfortunate and suffering race of beings, coming from a body of Christian men professing to be the steady friends of that race, and the faithful advocates of their cause, no reasoning should be employed to enlighten the public mind on the merits and effects of the treaty as an instrument to them of good or evil ; and that its beneficent provisions in their favor, should be noticed only to condemn and censure them, as too liberal and costly on the part of the Government.

In the following remarks, I propose, on behalf of my countrymen to notice the prominent objections put forth in this volume to the consummation of the treaty, and more especially to call your serious and dispassionate attention to the point on which I feel persuaded that, as Christians and philanthropists, you will be most disposed to listen to me—our actual condition, and the bearing of the treaty on our future welfare and happiness.

The subject of emigration is not new to the New-York Indians. The advancing settlements of the whites, more than thirty years since admonished them of the necessity of that measure, and long before the existence of what is called the "Ogden Company," led them, as the result of their own calm deliberations, to resolve on securing a seat among their red brethren of the west. Being encouraged in these views by the

then president, their attention was first directed to the acquisition of a tract on the White River of Indiana, but that tract being included in a treaty soon afterwards made with the Indian occupants by the government, that attempt of course failed. Subsequently, and as early as 1821, it was renewed under the like encouragement, and a purchase was then made from the Menominee and Winnebago tribes by the Six Nations, the St. Regis, Stockbridge, and Munsee tribes, (composing all the Indians in this state,) of a tract on the Fox River, emptying into Green Bay ; which purchase was confirmed by the government, and was in the following year greatly enlarged. This acquisition soon proved to be so important, that the Menominees, under the influence of the white inhabitants of the territory of which it then formed a part, were induced to deny the validity of the bargain—disputes and bad feeling followed, and before these could be allayed, the United States purchased from the Menominees the most valuable part of this tract. The New-York tribes remonstrated against this purchase, and the senate after investigating their complaints, in the year 1832 ratified the Menominee treaty, on condition that a tract of 500,000 acres should be set apart for the use of the New-York tribes, to be held under the same title by which they held their lands in this state. A portion of the Oneidas and the whole of the Stockbridge and Brothertown Indians removed to, and now reside on that tract—but the arrangement was not satisfactory to others of the New-York tribes, who have been since much divided as to the course best for them to pursue, the greater portion of the Christian party among the Seneca tribe and most of the educated and respectable chiefs, being decidedly in favour of emigration.

Allow me here to digress for a moment, in order to show how little you can rely on the facts stated in the volume under consideration. In page 8 you will find the following passage : “A purchase of the Green Bay Lands in 1832 had been made by the government for the future residence of the New-York Indians. To the treaty for these lands, made with the Menominees of Wisconsin, *the Senecas were not a party ; nor did they desire to be.*” This statement is incorrect in all its parts.

The government made no purchase of lands at Green Bay for the future residence of the New-York Indians in 1832, or at any other time. The purchase in that year was made for the benefit of the United States themselves, and a portion of it (as just mentioned) was given up to the New-York Indians on the ground of a prior claim under their previous purchase of 1821, from the Menominees and the Winnebagos. The Seneca tribe, as one of the Six Nations, was a party to the last mentioned purchase and paid its full proportion of the purchase money.

For many years past the condition of the Indians generally and especially that of the feeble remnants of the once powerful nations residing within the old states of the Union, has excited the sympathy of the benevolent, and called forth the talents of the learned, in devising plans by which to rescue them from impending extinction. The subject has by successive presidents been repeatedly urged upon the attention of congress, until at length a well considered system of policy was adopted by the national legislature, having for its object the ultimate civilization of the whole body of Indians within the United States. This system embraces all that seems to be necessary to its final success. In a mild and healthful climate, an extensive territory, composed of land easy of cultivation, and particularly adapted to the raising of corn, cattle and horses, has been set apart for the exclusive and permanent occupation of the Indians. Sufficient land is to be granted to them in fee, by patent, subject to no pre-emptive right, and by such a tenure as to enable the owners to hold and enjoy in severalty—to transmit to their posterity, and to sell and dispose of among themselves, their respective estates at their own pleasure. Ample protection is guarantied to them in their new home, and the government is pledged to furnish to them the means of elementary education—to provide for their instruction in agriculture and the mechanical trades, and to confer on them the privileges and powers of self government. These benign provisions, together with a just equivalent for the relinquishment of the claims of the New-York tribes on the lands at Green Bay, form the basis of the treaty which the Society of Friends, during its negotiation and ever since its conclusion, have been

seeking to defeat by every means which wealth and combination, talents and sophistry can furnish.

The circumstances which led to this treaty being grossly misrepresented in the publication under review, it may be proper, briefly to advert to them.

Within the last twelve years most of the intelligent chiefs of the Seneca tribe have been again awakened to the great and increasing evils of our condition. We first opened a correspondence with the government of the United States, imploring its aid and protection in resisting the encroachments of the unprincipled white men who were overrunning and corrupting us. We were told in answer that it was not in the power of the government to extend to us the protection required, whilst remaining in the state of New-York, and were advised to remove to the territory provided for us beyond the Mississippi.

In 1832 an agent of the government proposed to the chiefs in general council to send a delegation to examine that territory, and select a portion of it for our future homes. The proposition was well received, but was not then accepted. The Senecas cautiously determined first to send a delegation of three chiefs to Washington, headed by Captain Pollard, the father and pride of our tribe. The delegation proceeded to Washington, had an interview with the president, and became satisfied of his humane intentions. They asked an appropriation to defray the expenses of a delegation to explore the Indian territory, which was made by congress in 1834. A delegation of six chiefs, headed by James Stevenson and Seneca White went on the territory, and returning in the spring of 1835 made a unanimous report, in favor of the new country. Soon afterwards, some individuals among us became dissatisfied with the report, and we resolved on an application for a second appropriation to defray the expenses of another exploring party, and this was also made. A second delegation headed by Little Johnson and White Seneca, visited the country in 1837—returned the same year, and by a large majority reported in its favour. It now became important to act promptly in order to secure the particular tract we deemed most desirable, and it was accordingly signified to the government that

the New-York tribes were ready to treat with them. A general council was called in the fall of 1837—and here occasion is again taken for another attack on the pre-emptive owners—The paragraph last quoted from the case, is followed by this. “The Green Bay scheme, however artfully planned, turned out a failure. Years rolled away without its consummation. At length, in the year 1837, under the management of the agents of that (the Ogden) company, as it is generally understood the United States government was induced to appoint a commissioner with the *ostensible* object of purchasing from the Indians of New-York, the aforesaid Green Bay lands. The *real* object, however, was to obtain the *means* and *money* and influence of the government, to assist the said land speculators, in their efforts to obtain the more valuable lands of the Indians, lying in the state of New-York !”

The manifest object of this and other similar misrepresentations is to show that in every movement looking to the removal of the New-York Indians they have been passive, and to draw from each a new pretext for further abuse and invective against the pre-emptive owners. Thus a public treaty, growing out of a series of preliminary preparations between the immediate parties to it, is referred to the *management* of a third party, and the executive department of the government of the United States is held up to its citizens as so far forgetful of its own dignity and independence, as under the guise of an “*ostensible*” object, to lend its high powers to a set of land speculators, for a purpose at once base and fraudulent.

It was, both on considerations of propriety and necessity, incumbent on the war department to notify the pre-emptive owners of the intended treaty, and it is to be presumed that this was done ; but I am certain that they had no immediate agency in bringing about the council, nor in the selection of the commissioners appointed to hold it.

At this council there was a general attendance of the chiefs. General Gillet of this state, late one of its representatives in congress, represented the United States, and opened the council by a speech explaining the views of the government. Dr. Trowbridge, a most respectable citizen and late mayor of the

city of Buffalo, (the superintendent of Massachusetts,) followed in a short address, stating that he was sent there by the governor of that state to see that justice was done to the Indians.

After the question of removal and the sale of the Seneca lands had been debated for several weeks, the commissioner gave notice that he would on a certain day submit to the council the draft of a treaty, which was presented accordingly with the draft of a conveyance for the Seneca lands; both were read, article by article, to the council and faithfully interpreted in the presence of several persons acquainted with the Indian language; and I here state, of my own knowledge, that both were regularly signed, in general council, by a majority of the Seneca Chiefs according to the usage of the Six Nations, each chief signing in his own proper person, except two or three who were prevented by sickness from attending and who signed by attorney, as was known to all the attending chiefs.

The council was closed by short speeches from the commissioner and superintendent, in which they considered the treaty as a concluded compact, and no dissent was uttered by a single chief on either side.

Up to this period, there was little interference by white men in the deliberations of the council, which were conducted in the usual manner; but when the amended treaty came back, the scene was changed. The opposition had been organized. No particular amendment proposed by the Senate was objected to, because as is well known to the authors of the "case" the provisions of the original treaty in reference to the Seneca tribe were left substantially unchanged. The object was to defeat the *whole* treaty. For this purpose the council ground was overrun by white men—meetings were called and speeches made in opposition to the treaty. The Senecas were exhorted not to sell the lands of their fathers—were told that the government would never redeem their pledges to them—and that if they removed they would be destroyed by the wild Indians of the west—In short every argument, which could be addressed to the fears, the passions and the prejudices of an ignorant

and suspicious people was made use of. This was done by combination composed of 1st, the dram-sellers—2d, the luncheoners—3d, the lessees of mill seats—4th, the holders of hydraulic privileges near Buffalo—5th, the holders of license to live on the Indian lands—6th, the missionaries—and 7th the Society of Friends.

As to the first five of these various classes of Indian advisers and the motives which actuated *them*, it is unnecessary to speak. The ground of opposition assigned by the missionaries (except those of the Baptist denomination, who abstained from any interference in the matter,) was, that the treaty made no provision for refunding the money expended by the Board of Missions in making their different establishments on our lands; whilst on the part of the Quakers, it was insisted as is still done, that the New-York Indians possessed in their present positions, all requisite advantages and needed no new system of policy for their improvement. Their soft speech and strong professions of disinterested friendship, blended with insidious suggestions concerning the sincerity and good faith of the government—the validity of its title to the tract of country appropriated for the new homes of the Indians—the insalubrity of that country and the fearful dangers to which we should be there exposed, could not fail to produce their intended effect among the more timid of our people.

The seeds of distrust and suspicion, discord and strife, thus plentifully sown, soon yielded an abundant harvest. The anti-emigration party, encouraged by the support of their new allies, assumed a bolder attitude. Violence usurped the place of reason. Before the amended treaty had been submitted to the Indian parties, the council house, provided at the public expense for their accommodation, was burnt down, and this flagrant insult to the President and gross violation of the laws, is now noticed in the "case" (p. 11,) as one of the "strong marks of disapprobation on the part of the Indians," without one expression of regret or animadversion. It was indeed a "strong mark of disapprobation," but one little harmonizing with that flattering picture of the present state of our people to be found in the same document, (p. 29,) where *their* men

of improvement in science and morals, as well as in their physical condition, is represented to be "without a parallel in the history of our species!"

In consequence of this outrage, it became necessary to erect a new council house ; and whatever may be your *indignation*, you cannot be more *surprised* than I have been, to read in the "case" (p. 11,) an allegation that the object of the commissioner in this necessary proceeding, was to "give the land speculators an opportunity to perfect their scheme of bribery and corruption!!"

In accordance with such a beginning, our once peaceful council ground was soon converted into an arena for the display of the worst passions of our nature. An organized system of intimidation was employed to deter our weaker brethren from *signifying* their assent to the amended treaty. Some of them were driven by threats of death to the woods, and if, as is alleged in the "case," runners were employed to bring them back to the council house, it was because they were deterred by fear from appearing there, and our friends were therefore obliged to follow them to their retreats and rally them to the independent exercise of their rights.

In confirmation of these statements, I present to you the following extracts from that part of the official report of the U. S. Commissioner, of the 25th October, 1838, which relates to the Senecas. (Senate document, No. 7.)

"Experience having taught me the difficulties resulting from the operations of whites attendant upon any negotiation with this tribe, it was with much reluctance that I made up my mind to undertake the duty of submitting to them the treaty as amended by the senate. But my experience had left me much to learn. It would extend this report to an unreasonable length to give you a full account of all the obstacles which presented themselves during the negotiation at the late council. I shall give only a portion, from which you can form some idea of the whole. I met this tribe on the 17th of August, in a council house which I had caused to be erected on the reservation, and as very many were absent, at their request I adjourned until the 20th. On returning to the

" soon found I found my council house had been destroyed
 " by fire, the undoubted work of an incendiary. I soon caused
 " a new one to be erected and I proceeded with the business
 " which I had in charge and fully and fairly explained the
 " treaty and amendments. That I did so, I refer you to a
 " letter from M. B. Pierce, now an opponent to emigration,
 " which is on file in your office. At the first meeting I saw
 " there were very many white men present whose actions and
 " conversations indicated to me that they had purposes of their
 " own to subserve. The Indians as well as white men, all
 " concur in the opinion that the nation must become extinct
 " before many years, unless they emigrate to the west. It
 " seems to be the general expectation that they must ere long
 " remove and all admit that it is best to do so. Still the na-
 " tion is divided on the question of emigration. There is a
 " large and highly respectable and intelligent portion who are
 " the unwavering friends of emigration, whilst another consi-
 " derable portion appears to be inflexible opponents. Several
 " of this portion admit that the apprehension of the loss of po-
 " litical power in the tribe, controls their action. There is a
 " third class who do not appear to have sufficient independence
 " of mind and character to be described as belonging to and
 " acting with either party ; and while the current of their feel-
 " ings seems to be with the emigration party, they are often
 " restrained from action by the threats and compulsion of the
 " opposite party. This class very naturally received the spe-
 " cial attention of those who were really opposed to the treaty,
 " as well as of those who had objects of their own in view in
 " pretending to be opposed, or in assuming to have great power
 " and influence in the tribe.

Again—

" John Tall Chief, whose power I witnessed, informed me
 " and the superintendent when he gave the power, that his life
 " was in danger, and he dare not sign in council or be seen by
 " the opposition at my room, that he was in favour of the treaty
 " and amendments, and that I must let him sign by power of
 " attorney. He further stated that he must sign whatever the
 " opposition desired him to, that he dared not refuse.

"was all false to say that threats were not used to prevent chiefs from signing ; he and others were threatened. I fully believe this account, and have not one particle of doubt that if left free to act, a very large majority of the nation would freely and voluntarily sign the treaty and assent. If white men had kept away, I believe this would have been done soon after opening the council."

But as it suits the Society of Friends, and does not interfere with their notions of propriety, to vilify the character and impeach the fidelity of this public functionary, I turn to the testimony of General Dearborn the superintendent of Massachusetts, who was sent from Boston to attend the second council and who appears so to have discharged the duties of his office as to have escaped even the censure of the Friends ; of his official report to Governor Everett, (Senate document, No 9,) the following is an extract.

"Intimidation has been extensively used by the leaders and *their partisans* in the opposition, for the purpose of defeating the wishes of those who are desirous of removing to the west. The commissioner was informed by the chiefs of the Tuscaroras, that threats had been sent to them from the Tonawanda Reservation to deter them from ratifying the treaty."

With this brief outline of the means employed by the white advisers of the opposition party to prevent the Seneca Indians from assenting to the amended treaty, I proceed to examine the complaints of the Friends in respect to the number of chiefs who assented to it, and the mode in which their assents were obtained.

The whole number of chiefs is variously stated in the affidavits presented to the senate by the opponents of the treaty—that of Big Kettle, the late great leader of the anti-emigration party, declaring it to be 50—(Senate document, No. 5.)—others stating it more—others less. The contradictory affidavits on this subject were all submitted to the senate, but are not adverted to in the "case," nor is it deemed convenient to allude in it, to the ignorance on the part of *chiefs* of the number those to whom is committed the government of the nation ;

It is obvious from this language that the president whilst satisfied that a numerical majority of the chiefs had signed the amended treaty, was still desirous, in a case which had produced so much excitement, to obtain an expression of the opinion of the senate in regard to the sufficiency of an assent depending on a single voice. That circumstance however was not deemed material, and by a resolution of the senate, passed 2d March, 1839, the matter was again referred to the President for the exercise of the powers conferred on him by the original resolution on the 11th June preceding.

With a view to further information and, as is understood, in compliance with the wishes of the Society of Friends, the secretary of war visited the Senecas in August, 1839, and held with them a council. It was an open one and numerous attended by the Indians and their respective friends and partisans, and among others, as the case informs us, by three committees of as many distinct branches of the Quaker Society.— The secretary in his address to the council, told them that “he was sent by the president to confer with them—ascertain their objections to the treaty and listen to every thing they had to say on the subject.” Talks were delivered by a chief of each party, but these consisted of little more than mutual crimination and tended to throw no new light on the subject. All parties were patiently heard and the council, after sitting two days, was adjourned. The friends now complain that the secretary lost sight of the object of his mission in not again laying before the council the amended treaty, for its assent or dissent. What would have been the Secretary’s opinion as to the expediency of such a proceeding, I do not know, but it is somewhat strange that these ever vigilant committees, if assured that a majority of chiefs were indeed opposed to the treaty, did not propose or suggest such a test of relative numbers.

Between the adjournment of this last council and the meeting of congress, new affidavits were procured and further delay asked by the Friends in the promulgation of the treaty. The request was granted ; additional documents were submitted to the senate by another message on the 13th January, 1840, which message is quoted (p. 10,) to prove the president’s under-

standing that the senate resolution of the 11th June, 1838, required the assents to be given in open council. Now whatever may then have been the individual views of the president on that point, it is very clear that the resolution of the senate contained no such requisition. It provided that the amended treaty should be submitted and *fully and fairly explained* by a commissioner of the United States to each of the tribes separately assembled in open council, and that it should be freely and voluntarily assented to ; but it nowhere directs that it should be so *assented to*, in open council. In fact it is distinctly stated in the commissioner's first report, that the signatures of some of the chiefs to the *original* treaty were given out of the council, and that no chief objected to it as irregular. That report was printed—was before the senate when they ratified the original treaty, and by that act, this form of proceeding was virtually recognised and approved.

The circumstance referred to in the speech of Senator Wright, that on the passing of this resolution, an amendment was proposed, requiring in terms *that the assents should be given in open council*, and *its rejection*, sets at rest all question as to the intention of the Senate in this resolution.

Again it is alleged (p. 14,) that the commissioner took lodgings at a private hotel—that runners were hired to bring in the chiefs—spirituous liquors employed to intoxicate them—false representations to deceive them—threats to intimidate them—and vain hopes to allure them.

As to such of these vague charges as have not been already noticed, I shall merely ask attention to the final reports of the commissioner and superintendent.

On the 30th October, 1838, the following instructions were communicated by the department to the commissioner : Senate document, No. 5.)

“ War Department—Office Indian Affairs,
October 30th, 1838.

“ Sir,

“ Your report and the treaty with the New-York
“ Indians assented to as amended in the Senate of the United

"States, have been submitted to the Secretary of War. He is of opinion that the consent of a majority of all the Seneca Chiefs must be obtained, but that as you have heretofore met the requirement of the senate by full explanations to them in council, you may proceed to the Seneca Reservation and there obtain the assent of such Indians as have not heretofore given it.

"You are accordingly authorized and requested, at your earliest convenience, to proceed to the Seneca Reservation in New-York and carry out the above views. Your service among these people qualifies you fully for the discharge of this duty, and gives assurance of its fair, honest and capable performance.

"Very respectfully, &c.

"T. HARTLEY CRAWFORD."

"Hon. R. H. GILLET,

"Now at Washington."

The commissioner, in the official report of his proceedings, under these instructions dated 11th January, 1839, (Senate document, No. 8,) thus expresses himself:

"You have heretofore received a full report of all that transpired prior to your instructions of the 30th October last. On the receipt of those instructions I repaired to Buffalo, New-York, for the purpose of carrying them into effect. On my arrival there I was joined by Gen. H. A. S. Dearborn, the superintendent appointed by the Governor of Massachusetts, who continued with me until the close of my visit there. He was present and witnessed every signature to the assent, except one which was taken while he was confined to his room by indisposition. Soon after my arrival at Buffalo I directed the United States sub-agent resident there, to give public notice to the Seneca chiefs that I was present and authorized to receive the signatures of such of their chiefs as desired to give them, and that the superintendent from Massachusetts was also present to discharge the duties assigned him by the authorities of his state."

Again, after stating the number of signatures, he states—

Let me ask what is the meaning of the term *bribery* as applied to Indians ? If a right to personal gratuities be the *privilege* of chiefs according to the general and well understood usage of Indian communities, then the acceptance of them, being consistent with official fidelity, involves no violation of duty, and the payment of them is not *bribery*. Now, according to the unbroken custom which has prevailed among the Senecas since the first sale of their extensive possessions in this state, the chiefs have demanded and received personal allowances. This custom was acted on at the treaty of 1797, between Robert Morris and that tribe, held by the late distinguished Colonel Jeremiah Wadsworth as commissioner of the United States, and by a highly respectable superintendent of Massachusetts—annuities for life were then granted to all the principal chiefs of that day and secured by the purchase of public government stocks. Corn-planter, Farmer's Brother, Red Jacket and many others were of the number, and to the first of these great men no less than two hundred and fifty dollars per annum was granted for his life, that of his wife, and those of his eight children, several of whom are still in the enjoyment of it. At the treaty of 1826 the same usage prevailed. Red Jacket, who opposed the treaty and could claim no allowance, was persuaded, as the opposition chiefs now are, to proceed to Washington and on this same charge to contest the validity of the treaty. Then, as now, the usages of our people were referred to, and there was no interference on the part of the government. At the council held by the secretary in August, 1839, the fact of personal allowances to chiefs was referred to by the orator of the opposition party and stigmatized by the epithet of bribery ; on which a leading chief on the other side, rose in his place and on the face of the assembled tribes, avowed and justified the usage as one founded on ancient and well-understood usage ; after expressing his surprise that such a complaint should come from such a quarter, pointed with scorn to several chiefs on the opposition benches who were then in the receipt of personal allowances under the treaty of 1826. This usage is not peculiar to any one tribe : it is common, as I understand, to

all, and (as is universally understood) the government of the United States in their Indian negotiations are compelled to conform to it. Nor is the usage of modern origin. At the earlier periods of the settlement of this country, *presents*, as they were then called, were freely distributed among the chiefs. At this day, and especially among tribes whose constant intercourse with white men has taught them that money is the surest means of purchasing both luxuries and comforts—when the increased value of their lands enhances their official importance and busy white advisers are ready to stimulate their cupidity, it is not strange that the chiefs should be disposed to make the most of their official perquisites. The difference in practice between the pre-emptive owners of the present time, and those of the time of Penn and other colonists is, that what then passed under the name of *presents* is now termed *bribery*; that the chiefs were content *then* to receive blankets and cloths, gay calicoes and glittering baubles and trinkets, whereas *now* they demand more substantial allowances in money. In principle there is no difference either as to the giver or receivers of personal gratuities.

With us the chiefs act for the nation in the sale of their land, and if the nation are satisfied with the price, there is no complaint on account of any further benefits that the chiefs can secure for themselves.

I am thus brought to inquire whether or not we have been defrauded in the sale of our lands. In page 2 of the book the authors say that our lands are estimated to be worth from two to three millions of dollars, adding in their accustomed tone of abuse, that this was “a temptation too great to be resisted by the consideration that justice, mercy, truth and fairness must all be trampled under foot before the prize could be obtained!” This envenomed arrow shot from the bow of the meek and gentle Quaker, is levelled at a set of gentlemen whose reputation cannot be affected by my praise or censure—as little can it be affected, in the state of New-York, by such foul aspersions; nor where they are unknown, can the use of such a weapon fail to suggest to every white man acquainted with the ordinary proprieties of society, that a

cause requiring for its support effusions of passion and malevolence must needs be a weak one. As to the *estimate*, I might say that I know enough of land in the neighbourhood of our reservations to justify me in declaring that it is grossly exaggerated ; but the question, as concerns our people, relates not to the value of the land as a subject of sale among white men, but to the value of the possessory title which we have sold to the pre-emptive owners. Now it is quite certain that in addition to what the treaty secures to us from the United States, we are to receive from the pre-emptive owners on this sale of less than 115,000 acres, more than double the amount paid to our nation by Robert Morris upon a sale to him of more than four millions of acres ! and if I am rightly informed, vastly more than Penn paid to the Pennsylvania Indians for their title to the whole of that fine territory ! and I am informed also that the late sales of the Holland Land Company of their large tracts in the Genesee Country were made (as to the unimproved lands) at prices little, if at all, exceeding that which we are to receive, although their sales embraced *both the Indian and the pre-emptive titles*.

As to the general character of the whole bargain, hear what General Dearborn says in his report to Governor Everett.—(Senate document, No. 9)

“Not an objection or complaint has been made by a single Indian during the whole progress of the council, as to the price obtained for the right of possession, and I have not seen an individual, other than the persons above named, who does not think the offer of the government, a most generous and favourable one for the Indians.”

“The same liberal terms which have been offered to these Indians, if extended to any county in New-England, would nearly depopulate it in six months.”

The opinions of many other intelligent white men to the same effect might be mentioned, but it would be a superfluous tax on your patience, and I shall on this point therefore refer only to those of the Quakers themselves, as expressed in their memorial to your house of representatives. The object of this memorial is to induce the house to withhold any appro-

priation for carrying the treaty into effect, on the ground that although by the constitution of the United States the treaty-making power is vested in the president and senate, yet as another part of the same constitution requires the concurrence of both houses of congress in drawing money from the treasury, it thus enables the house to control and nullify treaties.—Applying this new doctrine to the present treaty, the memorial proceeds (p. 50,) as follows: “There is one feature in the “character of this negotiation with the New-York Indians, “which we think ought to claim the particular attention of “your body as the guardians of the public treasure. By that “treaty, four hundred thousand dollars of the public money, “and one million eight hundred and twenty four thousand “acres of the public lands are to be given to the New-York Indians, as an inducement to relinquish their possessions in the “state of New-York, for the benefit of the Ogden land company. To your memorialists it appears that under this treaty “the government gives away a vast amount of property *without any equivalent!* It may well be asked what advantage “can accrue to the public from the removal of the New-York “Indians? As regards the people of the United States, under whose authority the treaty is said to be made, and from “whose resources the means to carry it into effect are to be “drawn, it may safely be answered, *none!* In a national point “of view, it is a matter of perfect indifference whether the “New-York Indians remove or do not remove! Why then “should our representatives appropriate such a vast amount “of money and property to an object in which the community “has no interest?” You will recollect that the complaint lately noticed was, that the New-York Indians obtained *too little* for relinquishing their possessions in this state, and you perceive that the complaint *now* is that we obtain *too much*, and that to swell the balance against us, the Green Bay tract containing 435,000 acres, relinquished by the treaty to the United States, (constituting no inconsiderable set off against their concessions to the Indians,) is entirely omitted in the account!

But I pass over that omission, and call your attention to

this memorial, as being a deliberate and recorded avowal of the opinions and feelings of the congregated "committees of " the four yearly meetings of Genesee, New-York, Philadelphia and Baltimore, in the concern of those meetings for the "welfare of the natives of our country." Consider these opinions and feelings. In the exercise of a liberal but tardy act of mercy and justice, the representatives of a rich and powerful nation have been pleased to make a liberal provision to carry out a great and humane system of policy by which to rescue our perishing race from moral and physical ruin—our removal from the corrupting influences of associations with the white population by whom we are surrounded, being an essential part of that system. In their memorial to congress, we find these delegated advocates of the Indian cause censuring the munificence of these provisions—coldly casting up their amount, weighing in a miser's scale, the result of their sordid calculations against our temporal and eternal welfare, and seeking in an appeal to the guardians of the public purse, to win their co-operation by an assertion that "in a national point of view, it is a matter of perfect indifference whether the New-York Indians remove or do not remove," and that this "is an object in which the community have no interest!!!" If such be *your* views on this momentous subject—if *your* minds are made up to oppose any plan for our salvation, not founded on the dogmas of the Society of Friends, then indeed it is in vain that I address myself to your understandings or your sympathies.

In reviewing a work whose object seems rather to inflame the passions than to call into action the powers of the understanding—to excite prejudice rather than to elicit truth, it is not easy to distinguish between passages too plausible to be entirely overlooked, and others too absurd to need the least notice.

The statements of the "case" respecting the treaties of guaranty between the general government and the New-York Indians, and the notable "*census*" taken under the authority of the delegates of the three yearly meetings of Friends, belong to the one or the other of these classes.

As to the first—there is no Indian of any pretension to information, who does not understand, that whilst the general government are pledged, as is that of the state, to protect the Indian tribes from lawless violence, neither the general or state governments can enlarge their rights of property in the land they occupy, nor diminish the rights of the pre-emptive owners. These guaranties therefore, in relation to the validity of the late treaty, amount to nothing.

As to the last—what does this pretended “census” amount to? The Quakers send emissaries, upon their own representations of the dangers and privations incident to a proposed emigration, to the distant regions of the west, to collect the suffrages of men, women and children on that measure—of men too ignorant to appreciate its advantages, and of women, and children equally ignorant, but more easily alarmed by well told tales of horror and hardship; and this species of *farce*, devised and got up by the “delegates of three yearly meetings,” is dignified by the name of a “census.”

The parade of affidavits procured by similar means from people more than “14th” of whom are wholly unacquainted with the nature and solemnities of an oath, would seem to me to deserve no greater attention than the “census,” except as evincing the extraordinary means resorted to by a religious society professedly opposed in principle to this form of appeal to the Supreme Being, and generally most uncompromising in maintaining their scruples.

I now turn in the further examination of this angry and most uncandid appeal of the Society of Friends, to the contemplation of the present condition and prospects of the New-York Indians, and to a calm consideration of the means by which, under the gracious providence of the common Father of all, we, the most hapless branch of the human family, can be raised to the rank which you, his more favoured children, have so long enjoyed, and made to participate in those rich blessings which have been so bountifully bestowed on you.

The ground has been broken in the book I have been reviewing, but the authors have done no more than to betray their entire ignorance of the subject in all its essential principles.

This is an enquiry worthy, not only of the profound attention of the philanthropist, but demanding an exercise of the highest faculties of the christian ; for so far as a sound and operative faith in the great truths of the gospel, many be requisite to bring the heathen within the pale of salvation, this inquiry has reference not only to our temporal, but our eternal destiny.

These considerations whilst stimulating my feeble exertions, will I hope secure for me your dispassionate attention.

In discussing the theory of civilization, we are met at the threshold, by the fact, that evrey attempt which has hitherto been made, whether by legislators or religionists, to produce a radical and enduring change in the manners, habits and pursuits of Indian communities, has proved utterly abortive.

This fact, whilst showing the inherent difficulties of the problem, points to the propriety of applying for its solution to the master spirits of the age, and of ceasing to rely on the crude systems of conceited visionaries and heated fanatics, who, content with the use of mere palliatives, never look to the source of the disease. Such master spirits have at length approached the subject, and guided by their lights and the information I have been able to collect in the course of my education and subsequent associations with some of the better classes of white society, I am fully persuaded, as I think must be every intelligent man, who, dismissing preconceived opinions, will devote the powers of his mind to the subject, that the true cause of the failure of past efforts to improve the condition of Indians, is the disabilities under which they labour in respect to those rights and privileges of person and property, which are the common inheritance of white men.

The aborigines of this continent, from their first intercourse with the nations of Europe, have been the victims of that most unjust principle of colonization upon which the government of each nation first discovering any particular portion of this vast country, assumed over it an unqualified dominion, both as to soil and inhabitants. Upon this principle, the extensive regions claimed to have been discovered by British subjects were parcelled out into colonies and granted to them or to individuals, in fee simple—a title carrying with it the power of

alienation to all other subjects, and leaving to the Indian occupants, a mere right of possession which the holders of the government title (hence called the pre-emptive owners) were alone authorized to purchase. Such is the title under which the provinces and colonies forming the older states of this union were settled, and such the title under which William Penn came from England to Pennsylvania, as *proprietary governor*, to reap the benefit of his grant of that whole colony from Charles II. I find from his biography that this distinguished man, whilst in England and before his celebrated treaty with the native Indian occupants, sold portions of his vast territory to his fellow subjects of the British king, and that they accompanied him on his voyage to America, where measures were promptly taken to extinguish the Indian right. Neither Penn or his followers, were stigmatized by the Quakers of that day, as unprincipled "*land speculators*," nor was it then asserted as is done in the fifth page of the "case," that the pre-emptive title, "vests no right" in the holders of it until the "Indians are disposed to sell," and gives no power over Indian lands "more than that which any citizen of the United States "has over the land owned by his neighbour." If this be so, then a very large share of the abuse and opprobrium now lavished on the Ogden company, might have been bestowed on Penn and those who purchased under him, and would have been equally merited by each.

The rights of Great Britain and her colonies which passed by the revolution to the states of this union, have since been asserted and exercised by them, in their fullest extent. We Indians thus hold our lands by a title comparatively worthless, and as to personal rights, are placed under restrictions equally severe and humiliating. We are shut out from all political privileges, and in the country of our birth, are regarded as aliens, being not only deprived of the control of our own lands but incapacitated from acquiring and holding any other, even by purchase from white men! Thus oppressed and degraded, we find ourselves surrounded by white settlements, where a comparison between the condition and privileges of the two populations, would alone be sufficient to check the aspirations

and subdues the energies of every intelligent member of our community, even were he not compelled further to witness the demoralizing effects of this proximity to the more ignorant and numerous portion of our people. These, constantly associating with corresponding classes among the inhabitants of the contiguous towns and cities, acquire only their vices. In the face of legal prohibitions and penalties, white men of such classes are always ready to contract with individual Indians for the cultivation of their cleared lands on shares, and to purchase from them a vague license to cut and remove the valuable timber still to be found in our forests; and although cheated and over-reached in all these transactions, the poor Indian (after a fruitful harvest) is enabled to draw from them the means of a scanty subsistence, with such small supplies of money and credit as suffice to gratify his propensity to idleness and his thirst for ardent spirits, but when, as often happens, the corn crop fails, he is thrown a mendicant on the bounty of his white neighbours for the necessities of life.

Among our young women the baneful effects of the intermixture of the two populations, are still more striking in the general prevalence of that foul disease incident to the indiscriminate intercourse which they maintain with the youths of the neighbouring towns and cities, a scourge which, in the eloquent and touching language of one of the senators in discussing the merits of the treaty, "unknown to the natives "until the white man was known—is sweeping over this small "remnant of the once proud Seneca nation, sowing the seeds "of a slow and miserable and lingering death around the germs "of life."

There are many moral, industrious and intelligent men among the New-York tribes, but their general condition is such as I have described, one of abject poverty, ignorance and degradation. We are referred in one of the Quaker memorials (p. 29 of "case,") to the condition of the people of Great Britain at the time of the Roman invasion. Bear with me whilst I quote and briefly comment on the whole of this paragraph, which appears to me to involve some fundamental principles of great importance to my countrymen.

(P. 29.) "Under former administrations it was a favourable policy of the government to promote the civilization of the Indians, and large sums were appropriated for that purpose. But many of our fellow citizens now entertain the sentiment, and we have no doubt sincerely, that the Indian is an untameable savage, made for the wilderness and only capable of subsisting in a state of nature. We think the sentiment is erroneous—that circumstances only make the difference between them and the white men. Our ancestors in the island of Great Britain when the polished Romans invaded their territory, were as savage as the natives of our own country at the planting of the first colony in Virginia; they painted their bodies and clothed themselves in skins. Centuries rolled away; the example of a civilized state with all its advantages was before them, and yet they remained nearly as barbarous as when first visited by a Cæsar. Six hundred years after the invasion, they were far less improved in the arts of civilized life, than are our Indians after the lapse of one fourth part of that time. In the Seneca nation, the march of improvement in science and morals as well as in their physical condition, is perhaps without a parallel in the history of our species. It is true, much is yet to be accomplished—but the lights of experience shine on our path—the facilities of intercourse are astonishingly multiplied—and nothing, we think, is wanting to the consummation of our wishes for the complete civilization of the New-York Indians, but a faithful application of the means which a benevolent Providence has put into our hands or placed within our reach."

I am no antiquarian, and shall not question the historical accuracy of the facts here assumed; but let it be admitted, for the sake of the argument, that the inhabitants of Great Britain were for 600 years far less improved in the arts of civilized life than are our Indians after the lapse of one fourth part of that time—what is the practical inference to be deduced from this fact?

In our "march of improvement in science and morals" 150 years have brought us to our present condition, whether, as

viewed by the Society of Friends, it be one of hope and encouragement, or, as viewed by others and by ourselves one of utter despair—whether our march *now*, be onward or retrograde, all will agree that it *ought* to be *onward*, and that “much is yet to be accomplished.” What then, are the means to be employed for carrying us on in our journey to that point which the Britons and their descendants in this country now occupy, and can they be successfully applied to us, under the circumstances which belong to and are inseparable from, our present position? Opening our eyes to the “lights of experience” which “shine on our path,” we shall find that more, much more, than “multiplying the facilities of intercourse” is needed for the desired consummation.

The rights of property are the very basis of the political institutions of Great Britain, and of all the freedom and all the advancement in the arts, which that country now enjoys. In reviewing her history it will be seen, that precisely as the rights of property were secured and respected, in the very same ratio did the civilization of the nation increase.

When Henry the 7th permitted his nobles to alienate their lands, he is said to have added greatly to the respectability of the lower orders by enabling them to become the purchasers of estates. A gradual approximation of the different classes of society followed, whilst the division of land among many proprietors produced that wholesome competition of small interests which, in a commercial and agricultural country, is essential to the general weal.

In tracing the subsequent history of a nation who up to that period, (nearly 1500 years after the birth of Christ and the invasion of Great Britain by the Romans) remained comparatively barbarous, we find that the capacity to acquire and hold *individual* property, and the power to transfer it, at pleasure and transmit it by will, were essential elements of civilization. These, in fact, are the grand cement of society—without them no man ever achieved any really useful enterprise, or ever steadfastly devoted the active powers of mind or body to the accomplishment of any great and praiseworthy object. Without them, no nation has become, or ever can become, *truly civilized*.

Now if the condition of our people be such as I have represented—without the capacity to take or hold lands (otherwise than by mere occupation) or to dispose of them—shut out from all civil and political rights—a distinct and degraded and despised class of society, it is impossible to apply to us whilst thus circumstanced, those means of civilization which were so successfully employed among your ancestors in Great Britain. But what, let me ask, are those *other* means referred to in the paragraph just quoted “which a benevolent Providence has put into your hands or placed within your reach,” by the “faithful application” of which, we are to become civilized? Your legislatures may, within another 150 years, admit us into your political family, but they cannot give us an effectual title to land which already belongs to others, nor can they shelter us from those influences which are taking from us the few virtues of the manly savage, and giving us in exchange the lowest vices of the most profligate of your white men, and spreading among our people the seeds of a loathsome disease, are polluting the very fountains of life.

To tell us then what white men *have been*, and what, under the operation of means which are denied to us, they *now are*, is a mockery of our distress, and an insult to your understandings.

If proofs were required as to the practical effects of the disabilities under which we labor, they are to be found in the last 50 years of our history with which many of you must be familiar. Within this period, you have seen that the wide wilderness of the Genesee country, and the still wider wilderness of the west, have been made “to blossom as the rose.” The most needy of your people, planting themselves every where among the forests, have been able by their own exertions, to provide a comfortable subsistence for their families, establish schools, erect churches, build up villages and cities, and acquire wealth and consideration, whilst the New-York Indians, with the “example of a civilized state with all its advantages” continually before them—possessed of better lands, enjoying the benefits of missionaries and teachers and all the aids of active benevolence, have in the

great work or civilization, achieved nothing to justify a hope that, whilst deprived of the incentives and rewards which animate the freeman, they can ever be more successful.

The general views here expressed, seem to me to find strong support in those of the senators friendly to the treaty, whose speeches have been given to the public. For this reason, and for the purpose also of making this address in some degree instrumental in rescuing from unmerited opprobrium, the characters of gentlemen whom I have every reason to esteem, and who have been most wantonly calumniated throughout the publication under consideration, and at the same time of confirming the general accuracy of my own statements on several points in which they conflict with those to be found in that publication, I take leave to present the following extracts, necessarily omitting from their great length, those elaborate and conclusive arguments upon the question agitated in the senate not less than in the "case," as to the validity of the Indian assents to the amended treaty.

Governor LUMPKIN—"When I consider the moral degradation of these Indians and reflect that they cannot escape from the destruction attendant on their continuance in their present abodes, I cannot estimate the importance of immortal beings by dollars and cents; I cannot be altogether strict in my inquiry, as to the propriety of the United States incurring some expenditure in an object so essential to the preservation of these people. The President of the United States informs you in his message that this treaty presents the only prospect for the preservation of these people. He says, 'surrounded as they are, by all the influences which work their destruction, by temptations they cannot resist and artifices they cannot counteract, they are rapidly declining;' and 'that where they are, they must soon become extinct.' And sir, this statement of the President is fully sustained by both the senators from New-York, as well as by General Dearborn and Mr. Gillett and every other gentleman with whom I have conversed, who is acquainted with the present and true condition of these people. And yet, sir we find persons professing all that is benevolent, pious and good, who are

unwilling to let these people go. This treaty is truly recommended by the liberality of its provisions to the Indians. It gives them 1,824,000 acres of land in the Indian territory west, and the sum of \$400,000 for their removal and subsistence, for education and agricultural purposes, the erection of mills and other necessary buildings and the promotion of the mechanic arts, besides some minor but advantageous provisions. In exchange, the government obtains 435,000 acres of the best lands near Green Bay, lying on Fox River and near the best port in Wisconsin. This land is said to be in demand and disconnects the white settlements which are already made in that country. The public interest would be greatly promoted by the early settlement of this 435,000 acres of land with a white population; and if it could be brought into market, no doubt is entertained of its being readily sold and speedily settled by an industrious and enterprising population. At the government price (and it is believed that most of it would sell for more,) it would not only reimburse the treasury for the necessary appropriation to carry out the treaty, but it would exceed it by one hundred and fifty thousand dollars. Indeed it is believed that the demand upon the treasury to carry out the treaty might be supplied from these lands."

—"A territory west of the Mississippi has been procured and sacredly set apart by this government, amply sufficient for the location of all the remnant tribes of Indians which may be found remaining in all the states and territories of this union. It is the settled wish and policy of the government thus to locate those Indians. And sir, if these poor perishing people were entirely destitute of all the necessary means to contribute to their own comfort and settlement in the slightest degree, the duty would become in that case, the more imperative upon the government to provide for them."

"The government has assumed the parental, guardian care of the aboriginal race, and its duty and honour require that it should at all times stand ready and prepared to render a satisfactory account of its stewardship, to a civilized and Christian world. The wise and enlightened policy of col-

lecting, removing and settling these remnant tribes in permanent homes in the West, and thereby relieve the states altogether of this perplexing encumbrance, and at the same time make a last an honest effort to save from extinction a remnant of the native race, has always had my warmest support and approbation. The plan was first brought to my special notice by observing its recommendation by Mr. Jefferson, and it has since been recommended and sustained, more or less, by all his successors. Mr. Monroe most earnestly recommended to congress efficient action to carry out this plan of emigrating the Indians from the states, and settling them permanently in the West. The then secretary of war, Mr. Calhoun, sustained the views of the president in a very able report on the subject."

—"The history of its progress and success is known to the senate and the country. And sir, I consider it now, as I have done from the beginning, one of the most important measures connected with the history and character of our beloved country."

—"Shortly after the close of the revolutionary war the Six Nations of Indians of New-York became convinced that the increase of the white settlements around them would make it necessary for them to seek a new home in the west; and in a council held by these people, as early as 1810, they resolved and did send a memorial to a president of the United States inquiring whether the government would consent to their leaving their habitations, and their removing into the neighbourhood of their western brethren; and if they could procure a home there by gift or purchase, whether the government would acknowledge their title to the lands so obtained, in the same manner it had acknowledged it in those from whom they might receive it; and further whether the existing treaties would in such a case, remain in full force and their annuities be paid as heretofore. The president answered by saying their request *should be granted*; and under this approbation the treaty of 1821 between the New York and Menominee Indians to which I have before adverted, was made and concluded."

—“It has clearly and obviously become our duty to act in this matter. Does not the interest of New-York require that we should act in this matter? The answer is found in the following language from the president of the United States in his message upon this subject.

“The removal of the New-York Indians is not only important to the tribes themselves, but to an interesting portion of Western New-York, and especially to the growing city of Buffalo which is surrounded by lands occupied by the Senecas; and to this portion of the country, the extraordinary spectacle is presented of densely populated and highly improved settlements inhabited by industrious, moral and respectable citizens, divided by a wilderness, on one side of which is a city of more than 20,000 souls, whose advantageous position in every other respect and great commercial prospects, would insure its rapid increase in population and wealth, if not retarded by the circumstance of a naturally fertile district remaining a barren waste in its immediate vicinity.”

“And sir, what does the president say in regard to those persons who are entitled to the reversionary rights of these lands. His language is

“Neither does it appear just to those who are entitled to the fee simple of the land and who have paid part of the purchase money, that they should suffer from the waste which is constantly committed upon their reversionary rights, and the great deterioration of the land consequent upon such depredations, without any corresponding advantage to the Indian occupants.”

“In and out of the senate, sir, I have found persons strongly opposed to this treaty because they seem to think it confers special favors on the individuals known as the pre-emptioners. These individuals seem to be viewed in the light of speculators who are endeavouring to defraud the Indians out of their lands. Now sir, nothing, so far as I can discover, can be more unjust towards those injured individuals.—The quotation which I have given from the president’s message, as well as the reports of General Dearborn and Mr.

Gillett the United States commissioner, together with all the mass of documentary evidence which we have printed on this subject ; yes sir, all go to establish the merit, good character, liberal conduct and fair dealing of these pre-emptioners.

—"That the pre-emptive owners of these lands should be desirous to hasten the time of going into possession of their just rights, is altogether natural, right and proper. They neither claim or desire any advantage which has not been fairly derived from the State of Massachusetts.

—"Why should I then dwell longer on this branch of the subject. For sir, it is obvious to every one, that if the execution of this treaty be beneficial to all the parties concerned, its rejection will consequently be prejudicial to all. Let me then turn to another consideration connected with this treaty, by asking the question—do these Indians wish to be removed? This question is answered in the most satisfactory manner, by an attentive examination and consideration of the actings and doing of these Indians for the last thirty years. Their various efforts, with but little aid and encouragement from any governmental influence, either state or federal, sustain the belief that they are unhappy—very dissatisfied with their present abode, and are truly anxious to emigrate to the west.

"Mr. Gillett and General Dearborn both declare themselves to be perfectly satisfied, that were it not for the unremitted and disingenuous exertions of a certain number of white men, who are actuated by their private interests, to induce the chiefs not to assent to the treaty, it would immediately have been approved by an *immense* majority—an opinion, which we find repeatedly reiterated by these gentlemen. The president of the United States expresses the opinion, that the same influence which was exerted in opposition to the treaty, if exerted with equal zeal on the other side, would show a large majority of these Indians in favour of emigration. And from the first commencement of the negotiation, we discover the interference of white men assuming the character of friends to the Indians, strenuously opposing this negotiation and

greatly retarding its conclusion.—Indeed it appears that every art was employed to defeat the objects of the government in effecting a treaty. The country beyond the Mississippi was declared to be unproductive and the climate unhealthy. The prospect held out by the government to the Indians, was declared to be delusive and deceptive ; and in case of removal, they were told they might look forward to wars, privations and sufferings.”

—“That an actual majority have assented to the amended treaty, seems no longer to admit of a doubt. The official and personal standing of Mr. Gillett and General Dearborn who have certified the fact, settles this question. I consider this question as heretofore settled by the action of the senate.

“In respect to the mode of assent, I consider it altogether immaterial. The fact of assent I consider a matter of *evidence*, and in the present case that evidence is to my mind entirely satisfactory. That the chiefs who have subscribed this treaty, did so voluntarily and understandingly, is attested by General Dearborn and Mr. Gillett, whose testimony is unimpeached, and I believe unimpeachable.”

—“I doubt sir, whether the whole history of our country affords a solitary instance of an Indian treaty which will bear the test of comparison with this much abused treaty, for fairness, liberality, honest execution, and requirements approaching to similar transactions when conducted between equal and civilized nations. But sir, I would emphatically ask, what is the history of Indian treaties from the first discovery of this continent up to the present day ? When and where have we required that more than a majority of Indian chiefs should sign a treaty in open council, to give it validity ? When have we required higher evidence than that of General Dearborn and Mr. Gillett, in respect to the number, character and authority of Indian chiefship to a treaty ?

“The history and origin of Indian treaty-making in this continent down to the present time, I consider one of the unpleasant if not painful recollections, to the high-minded American citizen. In the early settlement of the country, our an-

cessors effected by artifice, in the form of Indian treaties, what they were unable to effect by force. This treaty-making system, originating in physical weakness, pretended and appeared to do nothing in acquiring the Indian lands, except by obtaining the voluntary assent of the Indians.—“Yes sir, *even under the government of that good man William Penn, we find the same statute which made it a crime for any citizen to furnish the Indian with intoxicating drink of any kind, nevertheless allowed the commissioners of the government to administer a prudent portion of intoxicating drink to Indians with whom they wished to form a treaty.* But sir, I forbear to enter further upon the history of Indian treaties. This much I will say : if any gentleman will take the time and labour which I have done to investigate this subject, he will rise from the task fully satisfied that the treaty under consideration, is one among the most fair and honourable transactions of the kind which is to be found on our recorded history as a people.

“I will now ask, Mr. President, how can any senator expect to put the negotiations of an Indian treaty upon the principles and footing of similar transactions with civilized enlightened foreign nations? Are not these Indians in a state of dependence and pupilage? Are not we in the place of parents and guardians to them? Shall we then overlook all the facts connected with the subject under consideration? Shall we imagine a state of things which we know has no existence? Has not all the difficulty in regard to this treaty been produced by interested white men? Is not every charge of fraud urged against this treaty, refuted by the fact of the liberal and beneficent terms of this instrument? A charge of fraud cannot be well sustained against a transaction which confers great benefits and no injury whatever.

“Allow me sir, once more in conclusion of my remarks, to advert to the bearing of the question now pending before the senate on the destiny and lasting interest of this remnant of the aboriginal race. To me sir, these people are a peculiar and interesting portion of the human family. I consider them human beings. I wish to treat them as such. I cannot in my conscience assign them to any other rank than man and

beast. I wish to save them from destruction. Hence I urge their speedy removal from the degraded and demoralizing situation in which we now find them. Their unrestrained intercourse with the licentious portion of the populous cities and villages by which they are surrounded, is prejudicial alike to the Indian and white population. Deprived as these people are, of the right to acquire and hold property in severalty, they are destitute of those incentives to industry and frugality which animate and reward every white man in our happy country. Being debarred all political rights, they naturally consider themselves a proscribed and debased race; and the individual exceptions of worth and intelligence among them, whilst it serves to evince their capability for improvement under more favourable circumstances, and to become a civilized people, will not however, shield them from becoming a nation of vagabonds and paupers, in their present abodes. During forty years they have made no perceptible advance in the arts of civilized life, so that it is impossible longer to resist the conviction, that their preservation from increasing misery and ultimate extinction, can only be found in their separation from the white population, and by conferring on them rights and privileges which, in all countries where they are enjoyed, have been gradually found to lead to civilization and to prepare the way for the introduction of Christianity with all its happy influences.

Senator WRIGHT after expressing his deep conviction of the benefits, present and future, which would be conferred by the treaty on the Indians, and that a just and rational sympathy for this perishing remnant of a once mighty savage confederacy prevailed much more strongly in favour of the treaty than any motives of individual or associated interest; and after premising

—“*That* he should enter upon the discussion with a full and perfect understanding, assented to upon all sides of the character and standing and credit of the treaty on the part of the speaker and unimpeachable,

and that his statements of facts were to be implicitly relied on in all matters touching the execution of the treaty by the Indians." (To which position, as the reporter adds, the *chairman of the committee and all the dissenting members assented*,) and after premising also, "That the commissioner on the part of the State of Massachusetts, General H. A. S. Dearborn, was present at all the transactions the validity of which are now in dispute, and is a respectable, credible and disinterested witness to every fact to which he gives testimony," presents the following summary of the provisions of the treaty :

"Article 1, cedes to the United States the lands of the New-York Indians, at Green Bay, not otherwise disposed of, computed at 435,000 acres.

"Article 2, secures to these Indians a country in the Indian territory west of the Mississippi, equal to 320 acres of land for each soul ; the whole computed at 1,824,000 acres.

"Article 15, stipulates to pay to the Indians from the treasury of the United States \$400,000—'to aid them in removing to their new homes, and support themselves the first year after their removal ;' to encourage and assist them in education and being taught to cultivate their lands ; in erecting mills and other necessary houses ; in purchasing domestic animals and farming utensils, and acquiring a knowledge of mechanic arts."

As connected with this branch of the subject he next adverts to the two separate treaties ; one between the Seneca band of Indians and the Pre-emptive Company ; the other between the Tuscarora band and the same parties, the first conveying to the company the ordinary Indian title of possession and occupation in all the remaining lands of the the Senecas within the State of New-York, consisting of four reservations, containing together 114,869 acres for the consideration of 202,000 dollars, and then proceeds as follows :

"The original treaty which forms the basis of this discussion was concluded between the New-York Indians and the United States on the 15th day of January, 1838. About the due execution of that treaty by the Indians, there has not

been, and is not, any question. It was presented to all the bands convened in a common council and was assented to by all, to the satisfaction of the senate.

"That treaty thus made on the part of these bands, was subsequently and during the annual session of the senate of 1837-38, transmitted to this body for its ratification by the president of the United States, in the usual form of transacting such business. It was referred to the proper committee of the senate for examination and advisement. The committee found many of its provisions objectionable to them from being too vague, and presenting too uncertain a responsibility on the part of this government. The removal of the Indians, their subsistence for one year—the erection of mills, school-houses, blacksmith shops, churches and many other expenditures were stipulated, without any amount stated as the maximum of expenditure to which the treasury of the United States might be subjected. The committee, as he understood at the time and now believes, referred these matters of ordinary expenditure to the head of the Indian bureau for an estimate of the amount of moneys required to meet them, and framed their 15th article of the amended treaty upon the estimate returned from that officer; thus giving for the objects enumerated in that article, the full amount of that estimate, but limiting the amount which could be called for to the \$400,000 therein stipulated to be paid, that being the amount estimated.

"There were other articles in the original treaty stipulating for the payment of gratuities to individual Indians by name, providing funds for a university and the like, which the committee wholly rejected without proposing any equivalent.

"Thus an amended treaty was formed by the committee on Indian Affairs of the senate and reported to this body for its acceptance, which met with its unanimous concurrence. It was ratified on the 11th June, 1838, and returned to the Indians for their assent with a special resolution, which has laid the foundation for the present controversy.

"It is proper here to remark, that the resolutions of the

senate of the 11th June, 1838, were a complete ratification of the amended treaty on its part—that the instrument in all its parts, was thus made perfect so far as the constitutional action of this body in the formation of a treaty was concerned, and that the only thing which remained to be done, was the giving the requisite assent by the several bands of Indians according to the resolutions for that purpose which the senate adopted. That resolution was made part of the proceedings of ratification on the part of the senate, was upon its face to be adopted by a vote of two thirds of the senators present, and was therefore, if met by the Indians with the assent required, the final close of our action on the subject of the treaty, in our executive character.”

The senator then proceeds to give a detailed history of all the subsequent proceedings, showing that the only question then presented for the consideration of the senate was, whether in point of fact, the Seneca band of Indians had given their assent to the amended treaty in conformity with the spirit and intent of the resolution of ratification of the 11th June, 1838 ; and after discussing this question at great length, and with masterly ability, he concludes his speech with the following condensed view of the whole subject :

“Hitherto he had argued the question of the execution of this treaty upon the admission that the assent of a majority of the Seneca chiefs of every grade, was necessary to its validity. This was an admission which he did not make, except for the sake of the argument, because it was a position in the soundness of which he did not believe. So far as his acquaintance extended, it was a new principle connected with the making of Indian treaties by this or the state governments ; and he believed also, that it was new to the laws and customs of the Indians themselves.

“He would call the attention of the senate to two short extracts from the report of General Dearborn, of the 2d January, 1839, which would enable him to express his opinion upon this point in an intelligible manner. The first extract is as follows :

“ ‘There are eight clans or families in each of the tribes of the Six Nations, which are designated by the names of Beaver, Turtle, Wolf, Bear, Snipe, Deer, Hawk, and White Crane or Heron. It is expressly prohibited by a law of the tribes for persons of the same clan to intermarry ; and it is considered as immoral and irreligious as would be an union within the forbidden limits of consanguinity among the Jews and christians ; and I have been assured that an instance of such matrimonial connexion, would be considered by the humblest Indian a wicked and monstrous indecency, and has never been known.’

“The second is as follows :

“ ‘There are eight great sachems of the tribe in the Seneca Nation of Indians who are also chiefs. It is the highest title and rank, and the office is hereditary like that of the other chiefs. The present sachems are Little Johnson, Daniel Two Guns, Captain Pollard, James Stevenson, and George Linsley of the Buffalo Creek Band, Captain Strong and Blue Eyes of the Cattaraugus Reservation, and Jemmy John of Tonawanda, *six of whom have signed the treaty.* Half of them are christians and the others pagans.’

“Now if the agent had been more particular, he would undoubtedly have told us, that of these eight sachems or principal chiefs, one belonged to each of the eight families or clans of which he had before spoken, and the symbolical names of each of which he had given. He would have learned that they were the great fathers of the nation, the civil chiefs upon whom the transaction of the business of the nation is devolved ; and he, Mr. W., did not doubt that had this treaty been negotiated with the state of New-York, the signature of a majority of these sachems would have been held sufficient to have constituted it a valid treaty, and that any other signatures of chiefs of a lower grade, would have been considered a mere matter of personal gratification and not of essential substance. He had therefore no doubt upon his own mind that the concurrence of six of these sachems in this amended treaty, was of itself, a valid execution of it according to the laws and customs of the Seneca Nation.

"Still he had argued the question upon the other hypothesis, because an examination of the papers had satisfied him that a majority of all the chiefs of all grades, had given an assent which the senate must consider satisfactory.

"He would now consider as briefly as he might, the pecuniary interests of the various parties to this treaty, and

"*First.* The interest of the State of Massachusetts.

"According to his understanding of the matter, that state had now no pecuniary interest whatever in these questions. The charters granted by the Crown of Great Britain to the colonies of Massachusetts and New-York conflicted as to boundaries, and both colonies claimed the territory west of a meridian line passing through or near the Seneca Lake, and within the present limits of the State of New-York. By an amicable adjustment between the two states in the year 1786, Massachusetts released to New-York the sovereignty and governmental control over the territory, and New-York surrendered to Massachusetts the right of soil, subject to the Indian title, and the right to extinguish the Indian title in her own way. Not many years after this period Massachusetts sold to private individuals her pre-emption right to the whole country, reserving that power of guardianship over the Indians which the old states have ever exercised within their limits, and which the United States have exercised without the limits of the states, and within those limits, where the right of pre-emption from the Indians belonged to this government. In this way and for this reason it is, that Massachusetts has been represented in all the transactions with the Seneca and Tuscarora Indians in relation to this treaty, the reservations of these lands being within the limits of her original right of pre-emption ; but since the sale from her to individuals under whom the present pre-emption company hold, he did not understand that the state had any other interest than the duty remaining upon her as a government, to see that the rights of the Indians were fairly and faithfully protected.

"*Second.* The interests of the pre-emption company.

"The interests of this company would be seen from what

had been said in relation to the connection of the state of Massachusetts with this matter. As purchasers from that state, they hold the exclusive right to extinguish the Indian title whenever the Indians shall be induced to surrender the possession and occupancy of the lands. By virtue of that right they have already extinguished the Indian title to an extensive and fertile country, and the present treaty proposes to complete the operation by the extinguishment of that title to all which remains, being about 116,000 acres.

"The interests of this company are direct and palpable.—The purchase from Massachusetts was made in 1706 or 1797, and so far as these lands are concerned, the purchase money paid to that state has been unproductive capital to the company, from that day to the present time. It is abundantly shown too, that the present reservations are constantly becoming less valuable by being stripped of their timber, which in their natural state, constituted the chief value of two or three of them. This consideration renders it a matter of direct interest to the company to extinguish the Indian title and obtain the actual possession at the earliest practicable day.

"As much has been said of the vast speculation which this company would make by the ratification of this treaty, he had taken some pains to form an opinion upon that point, and had therefore endeavoured to ascertain what had been paid to the state of Massachusetts for the right to extinguish the Indian title. As nearly as he could learn from the documents which had come within his reach, about three hundred thousand pounds New-England currency, equal to about \$1,200,000 had been paid for the whole purchase, and that somewhere from four to five millions of acres of land were covered by the purchase. He therefore concluded that the price paid to Massachusetts for the right of pre-emption from the Indians, say in 1797, must have been somewhere from twenty-five to thirty cents per acre. He had not taken the pains to make a calculation to see what, at a fair rate of investment, that price would bring the cost of the land to at this period, but when added to the \$212,000

or thereabouts now to be paid, and the gratuities which have been, and are to be given in case the treaty be finally ratified, he had satisfied himself that the speculation of the company would be much less than had been imagined, and that a prudent man who had the money, would pause before he would take the property off their hands at principal, interest and costs.

"Still the interests of this company were nothing to him. It was not their advantage which he felt called upon to consult, or which induced him to urge the ratification of the treaty. As constituents of his, as he believed most of them were, and as highly respectable individuals so far as he knew them, he would, as far as lay in his power, do them justice upon this as upon all occasions, but he would not urge this treaty upon the senate to the detriment of the Indians because this company might be benefited by its ratification, as he certainly would not vote for its rejection, to the detriment of the Indians, for fear this company might profit from its operation.

"*Third.* The interests of the state of New-York and her citizens.

"The state, as such, had no interest in this question separate from the interests of the citizens to be affected by the continuance or removal of the Indians. The extent of these interests would be best shown by brief statistical statements.

"The Senecas are scattered through the six counties of Allegany, Cattaraugus, Chautauque, Erie, Genesee and Orleans. This band of Indians together with the Onondagas and Cayugas who reside with them upon their reservations number 2,623 souls, and the white population of the counties in which they are, as shown by the state census of 1835, was 244,144 souls.

"The Onondagas at Onondaga, number 300 souls and are in the county of their name which had at the same period a white population of 60,908.

"The Oneidas at Oneida, are 620 souls, and are in the

county of their name with a white population of 77,518 souls.

"The American party of the St. Regis number 350 souls, and are in the counties of St. Lawrence and Franklin with a white population of 54,548 souls.

"The Tuscaroras number 273 souls and are in the county of Niagara which has a white population of 24,490 souls.

"The Stockbridges, Munsees and Brothertowns so far as they remain in New-York, are scattered among the other bands and number together 709 souls."

"Thus it will be seen that all these bands and remnants of tribes of nations are scattered through eleven counties of the state ; that they number altogether 4,885 souls, and that the white population of the counties in which they are, was in 1835, as shown by the state census, 461,608 souls, or almost 100 whites to one Indian.

"From this it will be seen that nothing like apprehension from the presence of these Indians can be felt by the whites ; that the inconvenience of the reservations to the white settlements ; in many cases, the desire to bring into profitable settlement and cultivation the lands they occupy, and the injurious effects upon society, in all cases and with both races, of familiar intercourse between them, are the prominent interests which the citizens of the state of New-York have in the ratification of this treaty. To the city and town of Buffalo immediately bordering upon one of the largest and most populous of the Seneca Reservations, and the city and town containing a white population of full 20,000 souls, this question was one of more deep and pervading interest, as it was also, properly considered, to the Indians residing upon that Reservation. But he believed he should be justified by the fact if he were to say, that even in the counties where these Indians are, the strong feeling for their preservation from the accumulated evils which surround them and which it is seen are rapidly producing their extinction, creates a deeper interest with the whites for their removal to the Indian country, than any considerations of convenience or property anticipated from the accomplishment of that object.

"Fourth. The interests of the United States.

"Much of the debate had turned upon this point, and he was bound to confess that he thought it the strongest ground upon which the treaty could be resisted. Yet he hoped to show that even this ground of resistance was not well taken ; and for that purpose he would recur to the facts in the case touching the national treasury.

"He had before remarked that the small sums to be paid to the various bands amounted to about twenty thousand dollars, and that the general payment stipulated to be made to all the bands in a proportion, *per capita*, as they should remove west, was four hundred thousand dollars. These payments together, would be about four hundred and twenty thousand dollars, but of the whole sum he did not believe an amount exceeding ten thousand dollars would be called for during the present year. Such was the condition of all these Indians that he did not suppose it possible that any considerable proportion of them, if even a single Indian, could remove after this advanced period of the spring, and after the appropriations under the treaty could be made. Of the sums payable to the various bands, he recollected but one sum of one thousand dollars to the St. Regis, which was payable before removal, and that sum was not required to be paid until the expiration of one year from the final ratification of the treaty. The immediate demand upon the treasury therefore, was not to alarm any one ; but the ultimate payment was considerable : and how was the treasury to be compensated for it ? This was the essential inquiry and if it could be satisfactorily answered, he hoped this objection to the treaty would be considered obviated.

"The answer then was, that the first article of the treaty cedes to the United States the tract of land owned by these bands of Indians at Green Bay in the territory of Wisconsin, being 435,000 acres. At the present minimum price of the Government for the public domain, this land will bring into the treasury \$543,750 ; while its location upon the Fox river and its quality are said to give it peculiar prominence and to insure its instant sale for immediate settlement. He

thought it therefore fair to anticipate in case of a prompt survey and sale, that this land would bring into the treasury all the money required to carry the treaty into effect, as soon and as rapidly as it would be wanted, and would afford a surplus more than equal to the expenses of the survey and sale.

"To this extent therefore no argument against the treaty was to be drawn from the demands it would create upon the public treasury. Another argument had been used however having the same tendency, which required examination. It was that the country stipulated to be given to these Indians west, was more than an equivalent for their Green Bay lands, inasmuch as three hundred and twenty acres for each soul, was given in lieu of one hundred.

"The answer to this was, that the country west was a part of that great country west of the States, which the United States, in the prosecution of a wise and humane policy towards the remaining Indian tribes, have set apart for their permanent and peaceful and undisturbed homes; and for the appropriation of which forever to that object, the faith of the nation has been most solemnly pledged. It was wholly immaterial therefore in a pecuniary sense, what Indians should occupy any particular portion of the territory. The whole was set apart for Indian occupancy; and in no treaty heretofore made with any Indians in the Union with a view to their removal to the Indian country west of the Mississippi, had the value of that portion of the country to be assigned to them, been taken into the account or made a matter of estimate in the purchase from them of their possessions within the States. This country had been set apart from the extensive domain of the Union, as a home for the red men, whom the cupidity of the whites had driven from the homes and hunting grounds of their fathers, and many of whom had not for this cause like many of these remnants of bands yet lingering in New-York, any country to exchange for that quiet home thus offered to them. The policy therefore had been to purchase their possessions and pay the estimated value of them, independently of the new

country to be assigned to them : and he believed, if the treaties were carefully examined, it would further appear that the expenses of their removal, and their subsistence for one year at their new homes, had been paid from the public treasury, over and above the value of the lands purchased from them. Not so in this case. The value of the lands purchased was not problematical. They were already in the middle of a settled and rapidly settling country. Their quality was well known, and their location of the most desirable character, and yet at the minimum price of the government lands, they would bring more than a hundred thousand dollars beyond every sum to be paid under the provisions of the treaty. Nay, they would bring into the treasury more money than was to be paid under the treaty and the cost to the United States of the country given to the Indians, west, besides.

"Was this treaty to be rejected on account of its unfavourable influence upon the pecuniary interests of the United States? He trusted not.

"There was another view of this point which would place the interests of the United States in a very different light. It was admitted on all hands, that the treaty had been assented to, and was perfect and binding as to all the bands except the Senecas. It had been before seen that the Green Bay lands were the property of the New-York Indians generally and equally. A portion of those lands, equal to sixty-five thousand acres, had been by a late treaty, granted in severalty to that portion of the Oneidas now at Green Bay ; and they had ceased to be any longer parties to this treaty. The quantity of land remaining was four hundred and thirty-five thousand acres, the common property of all the bands, this portion of the Oneidas only excepted. The population of all the bands as given in the schedule annexed to the treaty, and forming part of it, was five thousand four hundred and eighty-five souls. Deduct the Oneidas at Green Bay, six hundred souls, and there would remain a population of four thousand eight hundred and eighty-five, owning the four hundred and thirty-five thousand acres of land. Of this

population, the Senecas and the Onondagas and Cayugas residing upon their reservations, numbered two thousand six hundred and thirty-three. These taken from the four thousand eight hundred and eighty-five would leave two thousand two hundred and fifty-two, as to whom the treaty was admitted to be ratified and perfect. Now the right of all these Indians in the Green Bay lands, is a common, undivided right ; and if therefore the treaty be not confirmed as to the Senecas, the United States will be the owner of the two thousand two hundred and fifty-two shares in common with the Senecas, who will remain the owners of the two thousand six hundred and thirty-three shares, the whole being in common and undivided ; and the common interests of all the proprietors being in and to every part. The United States therefore will be unable to realize any thing for their interest, because they can neither convey nor give title to a single separate foot of the land.

“Still by the last article of the treaty, the United States must pay that proportion of the four hundred thousand dollars which two thousand two hundred and fifty-eight bears to two thousand six hundred and thirty-three, because as to the two thousand two hundred and fifty-two Indians, the treaty is perfect. In other words, the United States must advance the gratuities to the small bands, amounting to twenty thousand dollars, and must pay about half of the four hundred thousand dollars, and will have as a compensation for these payments, a common and undivided right with the Senecas, to about one half of the Green Bay land, a right of which it cannot avail itself for any useful purpose whatever, while thus held in common with the Indians. On the contrary—confirm the treaty as to the Senecas, as it is confirmed as to the other bands, and the right to the Green Bay lands becomes perfect, and the treasury will be fully indemnified for all the payments required to be made under the treaty.

“Could any thing more be required to show the true pecuniary interests of the United States to be favourable to the confirmation of the treaty ? It was due to the territory of

Wisconsin too, if within the fair exercise of the powers of the senate, that these Green Bay lands within the immediate neighbourhood of one of its most important trading towns, should be disencumbered and opened for a market and for settlement. This was an interest of the United States which could not be disregarded, whether it was looked at in reference to the sale of our other lands there, or to our duty towards the present inhabitants of that territory.

"Last and most important. The interests of the Indians. parties to the treaty.

"In a pecuniary sense their interests are clear, strong and decided. They are altogether 4,885 souls and they are to receive from the pre-emption company about \$212,000 in money and from the United States about \$420,000 more, and at their new homes, secure from the encroachments of the white 320 acres of land to each soul, man, woman and child of all the bands. All this they are to have in addition to the annuities which they annually receive from the United States and from the state of New-York, and which are to be regularly paid to them by an express stipulation of the treaty. These annuities together cannot fall short of the sum of \$20,000 and are believed to exceed that amount. Then all, or nearly all the bands, except the Senecas and Tuscaroras, have land to sell to the state of New-York, and for which by the long established practice of the state, they will receive the full papraised value in money, or in permanent annuities as they shall choose.

"Was ever an entire community so rich as these Indians will be in lands and money? Well has General Dearborn said, 'the same liberal terms which have been offered to these Indians, if extended to any county in New-England, would nearly depopulate it in six months.'

"If such are the clear and strong advantages to the Indians, pecuniarily, from this treaty, what are they to expect from the change proposed in their physical and moral condition? It was only necessary to look back to the days of the American revolution to answer this inquiry. Then the New-York Indians were the mighty Iroquois, an enemy almost as

terrible to our revolutionary fathers, as the civilized enemy with whom they were contending. Even in a divided state, and with one of their strongest bands, the Oneidas arrayed upon the side of the patriots in that glorious contest, the five remaining allied bands held our arms at bay for years, and rather advanced upon, than were driven from the settlements, though opposed by some of our most brave and skilful generals. Some sixty or seventy years have passed, and now the New-York Indians are the miserable scattered remnants of these powerful nations, and also of the St. Regis, the Stockbridge, the Brothertown and the Munsee tribes, and numbering in all less than five thousand souls. Some of the bands of the Six Nations have entirely disappeared, and others are reduced to a few families, and have no home but such as they enjoy from the generosity of their allied neighbours. The same generous attachment to their race, has given a home among the Six Nations to the Stockbridges from Massachusetts, the Brothertowns from Rhode-Island and Connecticut, and the Munsees from Pennsylvania, from the Wyoming country, all the remnants of once powerful Indian nations driven from their lands and their homes by the (to them) desolating march of civilization, and having not where to rest their feet, until our faithful allies, the Oneidas, tendered them a resting place and a home in their country.

“What has produced this startling change in these hardy children of nature within the short space allotted to the life of a single man? The answer stares us in the face. Not war, nor pestilence, nor famine, but the friendly touch of the white man. The progress not of arms against them, but of settlements and civilization around them. Look at the Senecas. They constitute a moiety of all the Indians now in New-York. In the war of 1812 '15, they numbered their thousand warriors and sent them to the field led by the gallant Frasier to strengthen our army upon the frontiers and within the territory of the enemy. Where now are those thousand warriors of the Senecas? Did that war reduce their number? No sir, peace and friendly intercourse with us has done it; and

already that thousand has become reduced to four hundred, if not within that number.

"He spoke from a statement given to him by two intelligent chiefs of the nation. The statement was too long to trouble the Senate with, but it gave a history of the perishing condition of that people which could not fail to move all to their relief. They are perishing from their contact with the whites; while so far from improving from the civilization around and among them they as a people, worse fed, worse clad, and worse provided than they were when they had never seen a white man. The labours of philanthropists have been sedulously performed among portions of this tribe for a series of years, without being able to arrest their downward and rapid march towards complete extinction. While some are made wiser and better by their white associates, a vastly larger number are made more idle and more vicious.

"The paper before him gives a description of the state of society upon the Buffalo Creek reservation, produced by the proximity of the large and populous town of Buffalo, which cannot be read without pain and loathing. Superadded to all the other vices which have never failed to be imparted to the Indian from association with our cities, seduction and prostitution of the Indian females are said to have become frightfully common; and that the most dreadful of all the consequences of pollution of this sort, has reached the tribe and is rapidly spreading itself among this portion of it. Thus a scourge more deadly and fatal than any other which has ever afflicted the Indian—a scourge unknown to the Indians until the white man was known, is sweeping over this small remnant of the once proud Seneca Nation; sowing the seeds of a slow and miserable and lingering death around the germs of life. The statement before him expressed the confident belief that a majority of the children born alive in the nation, die within the age of twelve months, many from exposure, from want of proper nourishment and ordinary comforts, from the carelessness of parents, and not a few from disease inherited from the mother.

He would not, he could not dwell upon this picture; and

yet there are those whose mistaken sympathy would hold these people where they are, to perish under the load of vice which surrounds them, pervades their society in every form, and is sweeping them into the grave with unexampled rapidity. Not so with him. He would change their condition.—He would remove them from the contamination which surrounds and is overwhelming them. He would place them where they may again be Indians—where they may again have the motives before them of ambition, of enterprise, of pleasure, of profit which stimulate the Indian; and where secure from the encroachment of the whites, they may again become independent, and free, and virtuous.

“But Mr. President, (said Mr. W.) reject this treaty—combine, as you will then combine, the cupidity of the pre-emption company with that of the white settlers who now surround them and from interest resist the company and the execution of this treaty, for the common object of both, is gain from the Indians and from their lands, and when they find that a division of interest defeats either, a combination may be easily formed which will favour both. I say accomplish this, and then what will be the condition of the New-York Indians? How long will they be able to withstand a combination of interests so strong and so strongly wielded? They cannot withstand it sir; and a few years will shew you their history in that of the Stockbridges, the Brother-towns, and the Munsees. They will be found miserable wanderers among their red brethren in some remote parts of the country, without a home, or the means to procure one; without the comforts of life or provision for their future support; their members but a fraction of the present population; and their last hope buried with the last council fire which burned upon those reservations they have been compelled to abandon to their white neighbours to avoid perfect extinction.

“May I not hope I have succeeded in proving that it is within the power of the senate to declare the assents of the Senecas to this treaty, satisfactory; and thus to save them from a fate so certain and so sad?”

I regret that I have not been able to obtain any report of the speech of Senator Talmadge, another able advocate of the treaty.

The following talk of Capt. Pollard to the U. S. commissioner is among the senate documents, and when it is known that this venerable sage of more than four score years and the head chief of our nation, is as conspicuous in wisdom and virtue as in years, I feel confident that his views of the great interests of our people cannot be unacceptable.

"Substance of a talk delivered to the United States commissioner, by Capt. Pollard head chief of the Seneca Nation, 26th December, 1838.

"My friend :

"Knowing that you are about to leave our people and return to your family, I sent for you to speak a few words before you go. You are young and full of vigour and health, but I am old and helpless. Time and disease have deprived me of activity and health, and left me a feeble tottering wreck.— You now see me on a sick bed from which I am unable to rise, and you will probably see me no more. From this couch I expect to pass to the cold lifeless house of death.— For a long life I have performed the duties of a fearless warrior and an honest man. My whole thoughts are upon my people and their future destiny. My last prayer is for their happiness and perpetuity as a nation. I could not rest without seeing you and through you speaking to my great father concerning them. He is good and loves them, and will listen to what I say.

At the time of the first war between your people and the King of England, I was a young warrior and followed the councils of our chiefs. They were guided by bad men and the consequences are to be lamented. All the Six Nations except the Oneidas and Tuscaroras were on the side of the British King who lived beyond the salt water. They raised the tomahawk upon the colonies when they were feeble, and destroyed many of your people. I remember well being at

Wyoming when we followed the advice of those who were governed by vile passions. I was in the battles opposing General Sullivan when he entered New-York from Pennsylvania and marched to Genesee. In the valley of the Mohawk and at Cherry Valley and other places, our people inflicted severe blows on your people. For these causes our villages and fields were laid waste and destroyed, and we lost our country by the fortune of war. We were then at the mercy of your people and had no homes but such as you would give us. Captain Brant went to England after the close of the war, and on his return I learned that he had secured a country for himself and the Mohawks in Canada. The other nations who had taken up arms in favour of the king, were left to seek clemency and homes at the hands of their conquerors. Corn Planter and Farmer's Brother were sent to negotiate with the United States. They made a treaty which you will understand. Although we were permitted to reside on a certain tract mentioned in the treaty, we were told that the right of soil belonged to others. This I have always believed. Our wise men have always believed it. We have long known Massachusetts and those claiming under her, had rights to our land. This has made me uneasy and unhappy. We have repeatedly admitted this Massachusetts right, and sold parts of our reservations to those setting it up. Last winter when Dr. Trowbridge was superintendent on the part of Massachusetts, we parted with our right of possession to the residue of our reservations, and unless the government approves of the amended treaty as assented to by us, our children will be without homes. If the purchasers should not hold the lands, still we shall be restless and unhappy, knowing that our rights are not as perfect as those of white men. While others are claiming our lands, we shall not improve and cultivate them with a light and cheerful heart. If our lands are not sold, we have no guaranty that our chiefs may not sell them at any day. This uncertainty in our condition depresses us and destroys our industry. We shall never be contented and happy until we have permanent homes and separate property like the white man. To this effect our great father President Monroe advised us. Experi-

once proves that his advice was good. We need homes that our chiefs cannot sell; such homes as are provided in the treaty.

"We listened to the advice of our father, the president, when he advised us we would better our condition and perpetuate our nation by removing to the west. We have resolved to go west and settle where our homes will be our own, and where we shall go beyond the example and advice of bad men, who advise us for their own interest. They love their own interests better than they love us, and they have tried to prevent our agreeing to the amendments to our treaty. A majority of the Seneca chiefs have now signed the assent. That is sufficient. All has been done consistent with our Indian customs, which we understand better than white men. Those who obey bad advisers will try to mislead the president by objections which are not good. We who have followed the advice of the government, might raise many objections against them and their conduct. We could raise many good objections against them. Our proceedings will bear scrutiny better than theirs. The question is, will the government now do what is promised in the treaty? What will become of us, if no new homes are given us? Whether it gives them or not, does not affect our arrangement with the pre-emption purchasers. That stands by itself. The other New-York Indians have secured new homes, and shall we not have them also? If the president rejects our doings, what will be our fate? We shall suffer for having listened to his advice. Those who have scorned to adopt his counsel will place their feet upon our necks, and grind us into the earth. We shall suffer for taking his advice, and those who spurned it, will be our oppressors, because we were in favour of emigration. Those who have refused to listen to his admonitions have done so, not because they were not good, but because they were deceived by falsehearted white men. All admit we must remove soon or become extinct as a nation. No one says our treaty is not a good one. The sooner we go to our new homes, the sooner we shall be happy. If we remain where we are, we shall soon disappear like those who once resided east of the

Hudson river. As the treaty now stands, those who wish to stay behind, can do so, and live on the lands they now occupy, so long as they live.* This is what those who opposed emigration last year desired. I have heard they stated so in their papers at Washington. As it now stands, they cannot be oppressed under the treaty. I am old and do not expect to see the new country set apart for my nation, but those who succeed me will go there and be happy. There they can raise horses and cattle almost without labour, and the ground is easily cultivated and produces abundantly. Here our people are poor, our valuable timber is mostly gone, and we have but few fields; they are small and yield us but little; we must emigrate or we shall never be prosperous and happy. It would be too great a penalty upon us if we have committed any error in our proceedings, to destroy them all and ruin us forever. Let our great father guide us as we do our children, and we shall pursue the right path which leads to happiness.

"I wish you to tell the president what I have said, and that none but bad men and those who are misled, disobey his wishes. Deceptions and threats deter many from doing and saying what their hearts dictate. I have nearly done. I could not rest in my bed until I had said so much. I could say many things more on this subject, but cannot now. My limbs refuse to support me, my body is weak, and my eyes are dim with age. I shall soon account to the Great Spirit for what I do and say. He knows whether I speak truth. He penetrates the motives of us all.

"You are going to your home, and I do not expect to see you again. My sun is almost set and darkness will soon be upon me. But your sun is at its meridian. May it long shine and lead you on in happiness and prosperity.

"Such is the prayer of Pollard. Farewell."

With these accumulated evidences of the yet deplorable condition of the New-York Indians, no man whose eyes are not blinded to truth, can fail to perceive the urgent necessity

* This is a mistake; an offer to this effect was made on the suggestion of General Dearborn, but it was rejected by the anti-emigration party.

of some more efficient system of measures for its melioration. No man whose heart is not insensible to human misery, can wish to withhold from them its benefits. And yet when under such a system, devised by the collected wisdom and based on the ample resources of your government, the portals of civilization are thrown open to us, we are met at the threshold, by an organized body of christians professing to be friends, yet acting as enemies. The New-York Indians although exposed on all sides to extraneous influences chiefly exerted to subserve private views, have nevertheless succeeded in securing to themselves the advantages of the government system, and the Seneca tribe have at the same time effected a sale of their remaining lands, on terms incomparably more just and liberal than on any previous sale. The dearest interests of all demand a speedy consummation of these arrangements; yet the Society of Friends, are still obstinately striving to defeat them.

The employment of donations to secure the co-operation of chiefs, although a necessary means of negotiating purchases of Indian lands, is seized on as the principal ground of their opposition. Now, however contrary to your notions of morality may be this practice, you have seen that it is sanctioned by Indian usage, long prevailing and openly asserted, without contradiction, in the presence of one of the highest functionaries of your government and of the assembled tribes. Upon what principle then of expedience, or of mercy, or even of sound morality, can this objection be applied to a transaction with Indians, which, in the language of Governor Lumpkin, "confers great benefits, and no injury whatever?" and on which hang all their hopes of salvation.

I have had occasion in the course of my remarks to advert to several circumstances, exhibiting on the part of this society the most striking inconsistencies.

I call on you to reflect whether their appeal to the house of representatives from the decision of a body whom they themselves declare to be "the highest tribunal on earth," can be reconciled with the sincerity of that declaration? Whether their attempt to induce the interference of that

branch of your national legislature, in order to control the treaty-making power belonging to the president and senate, be consistent with a patriotic regard to the great principles of your constitution? Whether their efforts to influence legislation on their present memorial by means of popular excitement and prejudice, be delicate and decorous. So their lavish praises of the great pre-emptioner, Penn, whilst at the same time they denounce as odious "land speculators," the pre-emptioners of the present day, who sustain towards the government from which they derived the pre-emptive title, and towards the Indians in possession, the very same relation as he did—their unmeasured abuse of the present pre-emptioners for having purchased our lands at an unfair price, when they well know that we are to receive for these lands, more than Penn paid for the whole province of Pennsylvania, or Morris for the whole Genesee country—the opprobrious epithets which they apply to the "Ogden Company," for employing presents in order to propitiate the influence of Indian chiefs, when it is an undisputed fact that similar means (except the cheap persuasive of "*a moderate portion of intoxicating drink*," peculiar, perhaps to Pennsylvania,*) were employed by their same great exemplar and from his time down to the present day, have been employed by all individual pre-emptioners and also by the government itself—their grave quotations from legal authorities to show that the use of such means vitiates all purchases from Indians, whilst they complacently enjoy their own estates acquired in the same manner, (the recollection of which, as to Morris' treaty, must be still fresh in the minds of the Genesee friends) without offering to restore these *ill gotten* possessions to those who, on the principle they assume, are still the rightful owners—and their wanton impeachment of the fidelity of the United States commissioner, whose official conduct has met the approbation of the executive, whose character, standing, and credit, "are vouched by the *unanimous* voice of the Senate, to be 'unimpeached and unimpeachable,' and whose 'statement of facts in all matters touching the execution of the treaty by the Indians,' is by the common assent of that body, declared to be

*See Pennsylvania laws, referred to in Governor Lumpkins' Speech; ante, p. 39.

worthy of implicit reliance—all appear to me to be alike inconsistent with that pure morality, that truth, candour, forbearance, and universal good will, which the Society of Friends claim to be its peculiar characteristics.

There is yet another instance of inconsistency in their conduct. The public are constantly edified by yearly discourses from this society on the subject of negro slavery, setting forth its sinfulness and urging emancipation as an act of christian obligation. Yet how different is their conduct in regard to the Indian tribes in this state, of whom they profess to be the special protectors and who, although free in name, are more effectually shut out from all the privileges which render freedom a blessing, than are the negroes! The negro slave it is true owes obedience to, and labours for the benefit of his master, but he and his children are bountifully fed and clothed, kindly nursed in sickness and provided for in old age. *We* are not compelled indeed to labour; but when overtaken by want, visited by sickness or enfeebled by old age, have no right to ask of the white men to feed, clothe, nurse or support us. The *negro*, by a long course of voluntary exertion, may perhaps purchase his freedom—buy lands and dispose of them—and may also (in this State at least,) acquire the right of suffrage and other civil rights. To *us* all these privileges are forever denied by your laws. *Negro slavery* can only be abolished by subverting private rights, whilst national policy sustained by public opinion, encourages and facilitates efforts for *Indian emancipation*. Yet the friends plead without ceasing, the cause of the negro whilst they labour indefatigably to perpetuate the bondage of the Indian.

Whence all these strange inconsistencies? Can it be that this Society having (as stated in one of their memorials to the president,) assumed the character of “Friends and counsellors to the Indians—sent agents to reside among them to instruct them in the arts of civilized life, and at great expense of time and money laboured for their civilization and “improvement”—still, honestly believe in the superior efficacy of their own system, and so believing cannot conscientiously order us to the care of our legitimate guardians and pro-

tectors. If this be so, (and I am unwilling to impute to them any worse motive) we may forgive their error, but cannot too deeply lament, nor too severely reprove, that pride of opinion—that arrogance of pretension—that inexcusable conceit, which, setting at naught the testimony of experience and history, the concurring opinions of successive presidents and heads of the Indian department, and [the collective wisdom of congress, would lead them, on the issue of their own speculative theory already falsified by their vain experiments, to suspend the momentous question of our civilization—and presumptuously to incur the awful responsibility of endangering our everlasting destiny.

To conclude—the Society of Friends may succeed in wresting from us the charter of our freedom and leave us in hopeless dependence on the worthless charities of short-sighted enthusiasts, but what, let me ask, will be to us, the consequences of their triumph? I put this inquiry with solemn earnestness, and again use the words of that venerated chief, whose impressive appeal is already before you. “The question is, will the government now do what is promised in the treaty? What will become of us, if no new homes are given us? Whether it gives them or not, does not affect our arrangement with the pre-emptive purchasers. That stands by itself. The other New-York Indians have secured their new homes, and shall we not have them also? If the President rejects our doings what will be our fate? We shall suffer for having listened to his advice. Those who have scorned to adopt his counsel, will place their feet upon our necks, and grind us into the earth.”

N. T. STRONG.

NEW-YORK, 29th January, 1841.

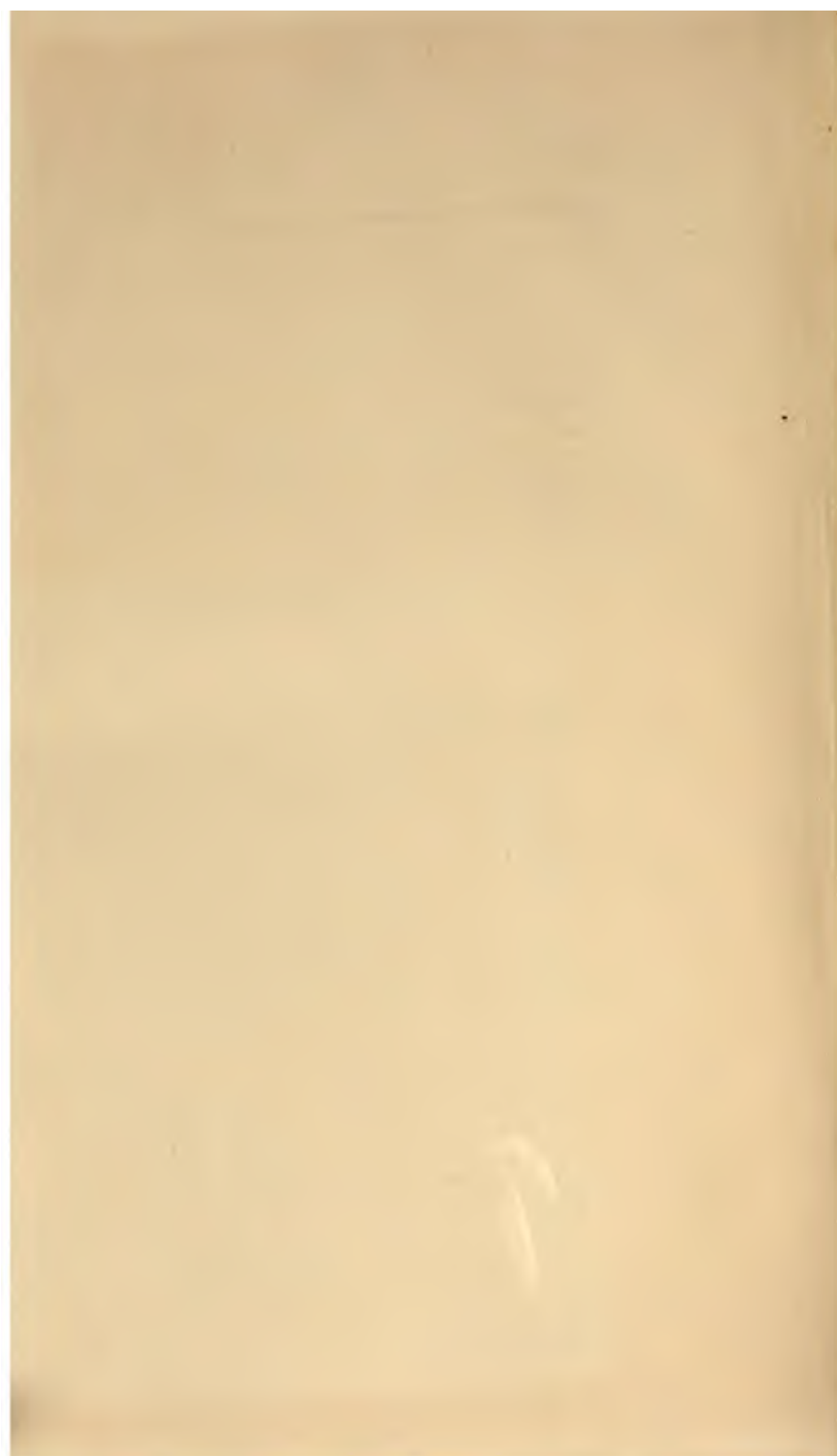
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N. T. STROCK

New-York, 30th January 1841.





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